

(xv) For airplanes for which none of the other codes prescribed under paragraph (c)(5) of this section describes either the technology applied or to be applied to the airplane in accordance with the certification requirements under parts 21 and 36 of this chapter, or the compliance strategy or methodology following the code "OTH," enter the date of any certificate action and attach an addendum to the plan explaining the nature and the extent of the certificated technology, strategy, or methodology employed, with reference to the type certificate documentation.

(5) TABLE OF ACOUSTICAL TECHNOLOGY/
STRATEGY CODES

Code	Airplane type/ model	Certificate technology
A	B-707-120B; B-707- 320B/C; B- 720B.	Quiet nacelles + 1-ring.
B	B-727-100	Double wall fan duct treatment.
C	B-727-200	Double wall fan duct treatment (pre-January 1977 installations and amended type certificate).
D	B-727-200; B- 737-100; B- 737-200.	Quiet nacelles + double wall fan duct treatment.
E	B-747-100 (pre-December 1971); B-747-200 (pre-December 1971).	Fixed lip inlets + sound absorbing material treatment.
F	DC-8	New extended inlet and bullet with treatment + fan duct treatment areas.
G	DC-9	P-36 sound absorbing material treatment kit.
H	BAC-111-200	Silencer kit (BAC Acoustic Report 522).
I	BAC-111-400	Silencer kit (BAC Acoustic Report 598).
J	B-707; DC-8 ..	Reengined with high bypass ratio turbojet engines + quiet nacelles (if certificated under stage 3 noise level requirements).

REP—For airplanes covered by an approved replacement plan under §91.807(c) of this subpart.

EFC—For airplanes designated as "engaged in foreign commerce" in accordance with an approved method of apportionment under §91.811 of this subpart.

RET—For DC-8 and B-707 airplanes operated in domestic U.S. air commerce and retired from service in the United States without replacement be-

tween January 24, 1977, and January 1, 1985. RFC—For DC-8 and B-707 airplanes operated by U.S. operators in foreign air commerce in the United States and retired from service in the United States without replacement between April 14, 1980, and January 1, 1985.

EXD—For airplanes exempted from showing compliance with the noise level requirements of this subpart.

OTH—For airplanes for which no other prescribed code describes either the certificated technology applied or to be applied to the airplane, or the compliance strategy or methodology. (An addendum must explain the nature and extent of technology, strategy, or methodology and reference the type certificate documentation.)

§91.815 Agricultural and fire fighting airplanes: Noise operating limitations.

(a) This section applies to propeller-driven, small airplanes having standard airworthiness certificates that are designed for "agricultural aircraft operations" (as defined in §137.3 of this chapter, as effective on January 1, 1966) or for dispensing fire fighting materials.

(b) If the Airplane Flight Manual, or other approved manual material information, markings, or placards for the airplane indicate that the airplane has not been shown to comply with the noise limits under part 36 of this chapter, no person may operate that airplane, except—

(1) To the extent necessary to accomplish the work activity directly associated with the purpose for which it is designed;

(2) To provide flight crewmember training in the special purpose operation for which the airplane is designed; and

(3) To conduct "nondispensing aerial work operations" in accordance with the requirements under §137.29(c) of this chapter.

§91.817 Civil aircraft sonic boom.

(a) No person may operate a civil aircraft in the United States at a true flight Mach number greater than 1 except in compliance with conditions and

limitations in an authorization to exceed Mach 1 issued to the operator under appendix B of this part.

(b) In addition, no person may operate a civil aircraft for which the maximum operating limit speed M_{MO} exceeds a Mach number of 1, to or from an airport in the United States, unless—

(1) Information available to the flight crew includes flight limitations that ensure that flights entering or leaving the United States will not cause a sonic boom to reach the surface within the United States; and

(2) The operator complies with the flight limitations prescribed in paragraph (b)(1) of this section or complies with conditions and limitations in an authorization to exceed Mach 1 issued under appendix B of this part.

(Approved by the Office of Management and Budget under control number 2120–0005)

§ 91.819 Civil supersonic airplanes that do not comply with part 36.

(a) *Applicability.* This section applies to civil supersonic airplanes that have not been shown to comply with the Stage 2 noise limits of part 36 in effect on October 13, 1977, using applicable trade-off provisions, and that are operated in the United States, after July 31, 1978.

(b) *Airport use.* Except in an emergency, the following apply to each person who operates a civil supersonic airplane to or from an airport in the United States:

(1) Regardless of whether a type design change approval is applied for under part 21 of this chapter, no person may land or take off an airplane covered by this section for which the type design is changed, after July 31, 1978, in a manner constituting an “acoustical change” under § 21.93 unless the acoustical change requirements of part 36 are complied with.

(2) No flight may be scheduled, or otherwise planned, for takeoff or landing after 10 p.m. and before 7 a.m. local time.

§ 91.821 Civil supersonic airplanes: Noise limits.

Except for Concorde airplanes having flight time before January 1, 1980, no

person may operate in the United States, a civil supersonic airplane that does not comply with Stage 2 noise limits of part 36 in effect on October 13, 1977, using applicable trade-off provisions.

§§ 91.823–91.849 [Reserved]

§ 91.851 Definitions.

For the purposes of § 91.851 through 91.877 of this subpart:

Contiguous United States means the area encompassed by the 48 contiguous United States and the District of Columbia.

Fleet means those civil subsonic turbojet airplanes with a maximum certificated weight of more than 75,000 pounds that are listed on an operator’s operations specifications as eligible for operation in the contiguous United States.

Import means a change in ownership of an airplane from a non-U.S. person to a U.S. person when the airplane is brought into the United States for operation.

Operations specifications means an enumeration of airplanes by type, model, series, and serial number operated by the operator or foreign air carrier on a given day, regardless of how or whether such airplanes are formally listed or designated by the operator.

Owner means any person that has indicia of ownership sufficient to register the airplane in the United States pursuant to part 47 of this chapter.

New entrant means an air carrier or foreign air carrier that, on or before November 5, 1990, did not conduct operations under part 121 or 129 of this chapter using an airplane covered by this subpart to or from any airport in the contiguous United States, but that initiates such operation after that date.

Stage 2 noise levels mean the requirements for Stage 2 noise levels as defined in part 36 of this chapter in effect on November 5, 1990.

Stage 3 noise levels mean the requirements for Stage 3 noise levels as defined in part 36 of this chapter in effect on November 5, 1990.

Stage 2 airplane means a civil subsonic turbojet airplane with a maximum certificated weight of 75,000